

1. Appointment of Chairman

2. Division of Agenda

to consider whether the discussion of any item of business is likely to lead to the disclosure of exempt information;

3. Declarations of Interest

In accordance with the Code of Conduct, Members are invited to declare any Disclosable Pecuniary Interests, Other Registerable Interests and Non-Registerable Interests including the nature and extent of such interests they may have in any items to be considered at this meeting;

4. Application for New Premises Licence at Uphill Farm Walled Garden and Barn, Yelverton, PL20 6DF

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Report to: **Licensing Sub-Committee**

Date: **28 May 2024**

Title: **Application for a new Premises Licence at Uphill Farm Walled Garden and Barn, Uphill Farm, Yelverton, PL20 6DF**

Portfolio Area: **Customer First**

Wards Affected: **Buckland Monachorum**

Relevant Scrutiny Committee:

Urgent Decision: **N** Approval and clearance obtained:

Author: **Naomi Stacey** Role: **Senior Licensing Officer**

Contact: **01803 861268 / naomi.stacey@swdevon.gov.uk**

Recommendations:

That the Sub-Committee consider the application for a new Premises Licence and make determinations in respect of this application, namely to:

- i) grant the application as submitted, subject to any Mandatory Conditions required;**
- ii) modify the conditions of the licence;**
- iii) exclude any of the licensable activities to which the application relates;**
- iv) to refuse to specify a person in the licence as the premises supervisor;**
- v) reject the application,**

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

The decision must be in line with the licensing objectives contained within the Licensing Act 2003.

1. Executive summary

- 1.1 The purpose of the Licensing Sub-Committee meeting is to determine an application for a new Premises Licence at **Uphill Farm Walled Garden and Barn, Uphill Farm, Yelverton, PL20 6DF**, in accordance with Section 18 of the Licensing Act 2003.
- 1.2 The Licensing Department have received two representations in objection to the application. The application will therefore need to be determined by the Licensing Sub-Committee.

2. Background

- 2.1 The Licensing Authority received an application from Charlotte Hayes and Christopher Hayes for a new premises licence on 11th April 2024. The application is for:

- Recorded music (indoors and outdoors):
 - Friday and Saturday 23:00 to 23:59
- Supply of alcohol for consumption on the premises:
 - Sunday to Thursday 12:00 to 21:30
 - Friday and Saturday 12:00 to 23:30
- Opening hours:
 - Sunday to Thursday 11:00 to 22:00
 - Friday and Saturday 09:00 to 23:59

A copy of the application form and plan is attached at **Appendix A**. Section M of the form is where the applicant states how they intend to promote the four licensing objectives. This section can be seen in full at the end of **Appendix A(i)**.

- 2.2 The sale of alcohol will take place within the area outlined with a red solid line (as marked on the plan at **Appendix A(ii)**), which is the location of a marquee. Alcohol will be consumed within the walled garden (area hatched in red) and regulated entertainment within the area outlined with a blue solid line.
- 2.3 The premises is situated within the grounds of Uphill Farm, in a rural area on the edge of Dartmoor, approximately 2.5 miles southwest of Yelverton. The location of the premises can be seen at **Appendix B**.
- 2.4 During the consultation period, two relevant representations were received in objection to the application from local residents and from Environmental Health. These are attached at **Appendix C**.

Representations

- 2.5 Issues raised in the representations relate to the Prevention of Public Nuisance licensing objective. The main concerns being the potential for noise disturbance from music and from customers, particularly late at night. A particular concern raised in the

representation from local residents is the impact of noise from the playing of recorded music outside until 23:59 on Friday and Saturday. There is also the fear that customers would cause noise and disturbance to local residents when they disperse at the end of an event.

- 2.6 Environmental Health have made a representation due the lack of information provided with the application to demonstrate that the Prevention of Public Nuisance licensing objective will be promoted. They have requested further details about how the applicants intend to operate, including the specific measures they will use to control noise.
- 2.7 Any information contained in the representations which is not relevant to the promotion of the four licensing objectives (see 2.13) cannot be taken into consideration when determining the premises licence application.

The Live Music Act 2012

- 2.8 The Live Music Act 2012 and subsequent amendments, allow the provision of live and recorded amplified music at any premises licensed for the sale of alcohol for consumption on the premises between the hours of 08:00 and 23:00. There is no way to restrict these activities through the premises licence during these hours, other than through the review process once a licence has been granted. Music played in the background (at a level where a conversation can be easily held) is never licensable. Should a licence be granted to include the sale of alcohol for consumption on the premises, live and recorded amplified music will automatically be permitted until 23:00 on any day, or until the end of alcohol sales (whichever is earlier).

Planning and Licensing

- 2.9 The representation from local residents makes reference to conditions imposed on the recently granted planning permission. Planning and Licensing are two separate regimes with their own legislation and involve consideration of different (albeit related) matters. Home Office guidance confirms that licensing committees are not bound by decisions made by a planning committee, and vice versa.
- 2.10 There are circumstances, as in this case, when as a condition of planning permission, a terminal hour has been set for the use of the premises. Were these hours to be different to the licensing hours, the applicant must observe the earlier closing time. The hours requested on the premises licence application do not surpass the hours permitted under the planning permission. Premises operating in breach of their planning permission would be liable to prosecution under planning law.

2.11 If the Licensing Sub-Committee are minded to grant the premises licence, the applicant must ensure that they comply with all conditions of their premises licence, as well as all conditions under their planning permission.

Policy and Statutory Guidance

2.12 Section 3.1 of the Policy states: The Licensing Authority has a duty under the Act to carry out its licensing functions with a view to promoting the four licensing objectives.

2.13 The four licensing objectives are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

2.14 Section 3.2 of the Policy states: These objectives are the only matters to be taken into account in determining the application and any conditions attached must be appropriate to achieve the licensing objectives. Each objective is of equal importance. A licence will only be granted where the Licensing Authority is satisfied that these objectives have been met.

2.15 Section 2.4 of the Policy sets out additional legislation, strategies, policies and guidance to which the Licensing Authority will have regard.

2.16 The Guidance issued under Section 182 of the Licensing Act 2003 which was revised and re-published in August 2023 state: The Licensing Authority may not impose conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives (paragraph 10.8 of the guidance).

2.17 The following responsible authorities are statutory consultees under the Licensing Act 2003:

- Devon and Cornwall Police
- Devon and Somerset Fire and Rescue Service
- Devon Safeguarding Children’s Board
- Devon County Council Trading Standards
- Devon Drug and Alcohol Action Team, NHS Devon
- West Devon Borough Council Planning Department
- West Devon Borough Council Environmental Health (Health & Safety)
- West Devon Borough Council Environmental Health (Pollution Control)

2.18 A representation has been received from Environmental Health (Pollution Control).

- 2.19 In addition to the above responsible authorities, any person may make a representation in relation to a premises licence application.

3. Outcomes/outputs

- 3.1 When determining an application for a premises licence, particularly when considering appropriate conditions and operating hours, the following sections of the Statement of Licensing Policy (the policy) and Section 182 Guidance (the guidance) are especially relevant:
- 3.2 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise immediately surrounding the premises may also prove appropriate to address any disturbance anticipated as customers enter and leave (paragraph 2.25 of the guidance).
- 3.3 Sections 5.5.1 and 5.5.2 of the policy states: The Licensing Authority will deal with the issue of licensing hours on the individual merits of each application, but the presumption will be to grant the hours requested unless there are relevant objections to those hours raised on the basis of the licensing objectives.
- 3.4 However, when issuing a licence with hours beyond midnight it is more likely that relevant representations will be made unless there are higher standards of control within operating schedules in order to promote the licensing objectives, especially for premises which are situated near residential areas or in areas where anti-social disorder takes place.
- 3.5 Section 5.5.5 of the policy states: The terminal hours will normally be approved where the Applicant can show that the proposal would not adversely affect the licensing objectives unless, after hearing relevant representation the Licensing Authority believe it appropriate to restrict the hours required due to the nature of the activities and the amenity of the area. If the Licensing Committee or a sub-committee believes that granting longer hours would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.
- 3.6 Section 3.8.1 of the Policy states: The Authority recognises the great variety of premises for which licences may be sought. These include theatres, members' clubs, sports clubs, cinemas, restaurants, pubs, nightclubs, cafes, takeaways, community halls, schools and off-licences. The Authority will not restrict access by

children to any particular type of premises unless it is considered appropriate to do so in order to protect them from harm.

3.7 Section 3.8.6 of the Policy states: When deciding whether or not to limit access to children the Licensing Authority will judge each application on its own individual merits. Examples which may give rise to concern in respect of children would include premises: -

- ❑ where entertainment of an adult or sexual nature is provided
- ❑ where there is a strong element of gambling taking place
- ❑ with a known association with drug taking or dealing
- ❑ where there have been convictions of the current management for serving alcohol to those under 18 years
- ❑ where the supply of alcohol for consumption on the premises is exclusive or primary purpose of the services provided at the premises
- ❑ where there are unsupervised areas (for example toilets, beer gardens, play zones).

3.8 At paragraph 2.16 of the guidance it states:
Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:

- Providing information on the premises of local taxi companies who can provide safe transportation home.
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

3.9 The desired outcome is a determination of the application with reasons provided which relate to the four licensing objectives and when conditions are imposed, that these are appropriate to address the licensing objectives.

4. Options available and consideration of risk

4.1 The Licensing Authority may decide to impose additional conditions to address the four licensing objectives, or to amend or remove requested licensable activities. When coming to their decision the Licensing Sub-Committee must give consideration to the Section 182 Guidance and the Statement of Licensing Policy. Reasons must be given which relate to the licensing objectives for any decision made.

4.2 The Sub-Committee will need to consider the hours of operation proposed, the effectiveness of the operating schedule proposed by the applicant, the representations received, the location of the premises in relation to residential properties, the history of the management of the premises (if applicable), the evidence provided of any problems in the past, the likely impact of any extension of hours and activities, public transport, taxi availability, the right the applicant has to operate a business and balancing the rights of residents to the quiet enjoyment and privacy of family life.

- 4.3 A decision made by the Licensing Sub-Committee may be appealed by the applicant or any person who has made relevant representations. The right of appeal is to the Magistrates' Court by virtue of Section 181 and Schedule 5 of the Licensing Act 2003. The Magistrates' Court may dismiss the appeal, or substitute its own decision, or send back the case to the Licensing Authority with directions as to how the case is to be dealt with. The Magistrates' Court may make any costs order it thinks fit.
- 4.4 The Licensing Act 2003 contains a provision which enables a responsible authority or any other person to apply to this Licensing Authority for a review of the premises licence once granted. A hearing follows which enables the Sub-Committee to use the normal powers available, but also to suspend the licence for a period of up to three months or to withdraw it.

5. Proposed Way Forward

- 5.1 That the Sub-Committee consider the application for a new Premises Licence and make a determination in respect of this application, namely to:
- i) grant the application as submitted, subject to any Mandatory Conditions required;
 - ii) modify the conditions of the licence;
 - iii) exclude any of the licensable activities to which the application relates;
 - iv) to refuse to specify a person in the licence as the premises supervisor;
 - v) reject the application, in line with the licensing objectives (Section 4) contained within the Licensing Act 2003.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	<p>The Licensing Act 2003 gives Licensing Authorities the responsibility for determining applications submitted under this provision. This is a statutory obligation.</p> <p>As there have been relevant representations in respect of this application which have not been resolved, this hearing must be held. Relevant representations are about the likely effect of the grant of the application on the promotion of the licensing objectives, by responsible authorities or any other person. The Licensing Sub-Committee</p>

		<p>must disregard any information or evidence not relevant to the licensing objectives.</p> <p>The Licensing Sub-Committee must consider this application in accordance with Section 4 of the Licensing Act 2003, which requires that licensing functions must be carried out with a view to promoting the four licensing objectives. The Licensing Authority must also have regard to its own licensing policy and the Secretary of State's guidance, but may depart from both if it has good reason to do so. Those reasons should be stated.</p> <p>The Act requires (Section 18) that in dealing with a new premises licence application, the committee takes any of the following steps which are appropriate for the promotion of the licensing objectives:</p> <p>(a) to grant the licence subject to:-</p> <ul style="list-style-type: none"> i) the conditions mentioned in section 18 (2)(a) [ie as applied for] modified to such as extent as the authority considers necessary for the promotion of the licensing objectives, and ii) any conditions which must under section 19, 20 or 21 be included in the licence; <p>(b) to exclude from the scope of the licence any of the licensable activities to which the application relates;</p> <p>(c) to reject the application</p> <p>The Sub-Committee must give its reasons for its decision to take any of these steps. Similarly, if the application is rejected, the Sub-Committee must give its reasons.</p> <p>The applicant or any person who has made relevant representations has the right to appeal a decision made by the Licensing Sub-Committee to the Magistrates' Court by virtue of Section 181 and Schedule 5 of Licensing Act 2003.</p> <p>On appeal, the Magistrates' Court may:</p> <ul style="list-style-type: none"> a) dismiss the appeal; b) substitute for the decision appeal against another decision which could have been made by the Licensing authority; c) remit the case to the Licensing Authority to dispose of it in accordance with the direction of the court.
Financial	N	There are no direct financial implications to the Council from this Report. However, should a decision be challenged this could result in the

		Council facing an appeal to the Magistrates Court with the risk of costs being awarded against the Council.
Risk	Y	<p>The Licensing Authority must follow strict legislation in accordance with the Licensing Act 2003 and adhere to the statutory instruments contained with the Act.</p> <p>All decisions must be taken in consideration of the four licensing objectives (section 2.9). These objectives are in place to give protection to the public from the potential negative impacts caused by licensed premises.</p> <p>Decisions may be appealed (see financial and legal/governance sections above).</p>
Comprehensive Impact Assessment Implications		
Equality and Diversity		Compliance with the Human Rights Act 1998 – Article 6: right to a fair trial.
Safeguarding		All decisions must take into consideration the ‘protection of children from harm’ licensing objective.
Community Safety, Crime and Disorder		Section 17 Crime and Disorder Act 1998 applies. Decisions made must relate to the four licensing objectives as detailed in section 2.3 of this report.
Health, Safety and Wellbeing		All decisions must take into consideration the four licensing objectives, including ‘public safety’ and ‘protection of children from harm’.
Other implications		

Supporting Information

Appendices:

Appendix A(i) – premises licence application

Appendix A(ii) – premises licence plan

Appendix B – location plan

Appendix C – representations

Background Papers:

None.

Process checklist	Completed
Portfolio Holder briefed	Yes/No
SLT Rep briefed	Yes/No
Relevant Exec Director sign off (draft)	Yes/No
Data protection issues considered	Yes/No

If exempt information, public (part 1) report also drafted. (Committee/Scrutiny)	Yes/No
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Application for a premises licence to be granted under the Licensing Act 2003

Please read the following instructions first

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We	Charlotte Deborah Hayes & Christopher Jeremy Nicholas Hayes (Insert name(s) of applicant)
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apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Uphill Farm Walled Garden and Barn Uphill Farm			
Post town	Yelverton	Postcode	PL20 6DF

Telephone number at premises	[REDACTED]
Non-domestic rateable value of premises	£

Part 2 - Applicant details

Please state whether you are applying for a premises licence as:

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i as a limited company/limited liability partnership please complete section (B)
- ii as a partnership (other than limited liability) please complete section (B)
- iii as an unincorporated association or please complete section (B)
- iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
- statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) Individual Applicants (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title	
Surname HAYES			First names CHARLOTTE DEBORAH		
Date of birth [REDACTED]		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
Nationality BRITISH					
Current residential address if different from premises address		UPHILL FARM			
Post town	YELVERTON			Postcode	PL20 6DF
Daytime contact telephone number		[REDACTED]			
E-mail address	[REDACTED] K				
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information) N/A					

Second Individual Applicant (if applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title	
Surname HAYES			First names CHRISTOPHER		
Date of birth 05/03/1986		I am 18 or over <input checked="" type="checkbox"/> Please tick yes			
Nationality BRITISH					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information) N/A					
Current residential address if different from premises address		UPHILL FARM			
Post town	YELVERTON			Postcode	PL20 6DF
Daytime contact telephone number		[REDACTED]			
E-mail address		[REDACTED] K			

(B) Other Applicants

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)

Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?	DIMM	YYYY
	30.04.2024	
If you wish the licence to be valid only for a limited period, when do you want it to end?	DIMM	YYYY

Please give a general description of the premises (please read guidance note 1) Events venue and course hub.
 Detailed by West Devon Borough Council planning reference 1769/23/FUL & 1770/23/LBC, 10 events until 2359, 10 events until 2200, 20 small events and 15 courses. Event types predominately weddings, feast nights and private parties. Maximum occupancy of 120. All alcohol provided by on-site bar. Operating within the confines of a walled garden and barn. Parking provided within field with a maximum capacity of 40 cars. All alcohol supplied for the sole consumption on-site, no allowance to removed from this location.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

- | Provision of regulated entertainment (please read guidance note 2) | Please tick all that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |
| <u>Provision of late night refreshment</u> (if ticking yes, fill in box I) | <input type="checkbox"/> |
| <u>Supply of alcohol</u> (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |

In all cases complete boxes K, L and M

A - Plays

Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue			State any seasonal variations for performing plays (please read guidance note 5)		
Wed			Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

B - Films

Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C - Indoor sporting events

Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Fri			
Sat			
Sun			

D - Boxing or wrestling entertainments

Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

E - Live music

Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
			State any seasonal variations for the performance of live music (please read guidance note 5)		
Tue					
			Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Wed					
Thur					
Fri					
Sat					
Sun					

F - Recorded music

Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			Recorded music to be played as background music after live music or DJ set after 2300 until 2359. Time allowances in accordance with planning conditions.		
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur					
Fri	2300	2359	Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	2300	2359			
Sun					

G - Performances of dance

Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
			State any seasonal variations for the performance of dance (please read guidance note 5)		
Wed					
Thur					
			Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

H - Anything of a similar description to that falling within (e), (f) or (g)

Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Thur			Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

I - Late night refreshment

Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Wed					
Thur					
			Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

J - Supply of alcohol

Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	1200	2130	State any seasonal variations for the supply of alcohol (please read guidance note 5) 30 minute drink up time allocated before doors closing.	Both	<input type="checkbox"/>
Tue	1200	2130			
Wed	1200	2130			
Thur	1200	2130	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	1200	2330			
Sat	1200	2330			
Sun	1200	2130			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	CHARLOTTE DEBORAH HAYES
Date of birth	[REDACTED]
Address	UPHILL FARM, YELVERTON,
Postcode	PL20 6DF
Personal licence number (if known)	[REDACTED]
Issuing licensing authority (if known)	West Devon Borough Council

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).</p> <p>NIL</p>
--

L - Hours premises are open to the public

Standard days and timings (please read guidance note 7)			<p>State any seasonal variations (please read guidance note 5)</p>	
Day	Start	Finish		
Mon	1100	2200		
Tue	1100	2200		
Wed	1100	2200		
Thur	1100	2200		<p>Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</p>
Fri	0900	2359		
Sat	0900	2359		
Sun	1100	2200		

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

a) GENERAL

1. All staff will be trained in the requirements of the Licensing Act 2003 as soon as they are recruited, along with regular training and updating.
2. All staff engaged in licensable activity at the premises will receive training and information in relation to the following:
 - i. The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.
 - ii. The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence.
 - iii. How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
 - iv. Recognising the signs of drunkenness.
 - v. The operating procedures for refusing service to any person who is drunk, under-age or appears to be under-age, or appears to be making a proxy purchase.
 - vi. Action to be taken in the event of an emergency, including reporting an incident to the emergency services.
3. All staff shall be suitably trained in the operating procedures for refusing service to any person who is drunk or is under-age or appears to be under-age.
4. Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 12 month intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority. The records will be retained for at least 12months.
5. All staff shall be trained in the requirements of the Challenge 25 policy.

a) THE PREVENTION OF CRIME AND DISORDER

6. The sale or supply of alcoholic drinks for consumption on the premises will be restricted to customers attending events at the venue.
7. Customers will not be permitted to take open containers of alcoholic or soft drinks from the curtilage of the premises (within the Walled Garden).
8. Customers carrying open containers of alcoholic or soft drinks will not be admitted to the premises at any time.
9. Glasses will be cleared away as soon as they are finished with or empty.
10. An alcohol sales refusal register shall be kept at the premises and be maintained to include details of all alcohol sales refused. The register will include:
 - i. the date and time of refusal
 - ii. the reason for refusal
 - iii. details of the person refusing the sale
 - iv. description of the customer
 - v. any other relevant observations.
11. The refusals register will be made available for inspection and copying on request of an authorised officer of a responsible authority. All entries must be made within 24 hours of the refusal.
12. An incident book shall be maintained to record any activity of a violent, criminal or anti-social nature. The record will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.
13. The Premises Licence holder will implement a drugs policy detailing the actions to be undertaken to minimise the opportunity to use or supply illegal substances within the premises.

CCTV

14. The premises shall install, operate and maintain comprehensive digital colour CCTV.
15. All public areas of the licensed premises including entry and exit points will be covered, including any outside areas under the control of the premises licence holder.
16. The system must record clear images permitting the identification of individuals, and in particular enable facial recognition images (a clear head

and shoulder image) of every person entering and leaving in any light condition.

17. The CCTV system will continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises.
18. All equipment must have a constant and accurate time and date generation.
19. All recordings will be stored for a minimum period of 30 days with date and time stamping.
20. Viewable copies of recordings will be provided on request to the Police or local authority officers as soon as is reasonably practicable and in accordance with the Data Protection Act 2018 (or any replacement legislation) a staff member from the premises who is conversant with the operation of the CCTV system, shall be on the premises at all times when the premises are open. This staff member must be able to provide an authorised officer of a responsible authority, copies of recent CCTV images or data with absolute minimum of delay when requested in accordance with the Data Protection Act 2018 (or any replacement legislation).
21. The CCTV system will be capable of downloading images to a recognisable viewable format.
22. There will be security measures in place to ensure the integrity of the system to prevent the tampering with or deletion of images.

b) PUBLIC SAFETY

23. The electrical system, including portable appliances, will be inspected annually by a competent person. Bands / DJs will be required to email proof of inspection prior to attending an event at the venue.
24. All safety certificates and inspections will be kept onsite and be made available for inspection by officers of relevant statutory bodies.
25. A means of addressing patrons during operating hours, which can be heard above entertainment or a means of interrupting the entertainment to make important safety announcements will be available.
26. When people with disabilities are present, adequate arrangements shall exist to enable their safe evacuation in the event of an emergency. Staff shall be aware of disabilities and react according to a pre-determined plan.

27. Gangways, exit routes and steps must be maintained in good order with non-slippery and even surfaces, edges of steps and stairways must be conspicuously marked.
28. There will be adequate arrangements for first aid provision. A first aid box with an adequate and appropriate supply of first aid equipment and materials will be available for the use of patrons. Suitable protective equipment must be provided to deal with hypodermic needles, blood spillages and other body fluids. Procedures will be in place to ensure that body fluids are dealt with in a safe manner to avoid the risk of communicable disease.

c) THE PREVENTION OF PUBLIC NUISANCE

29. Noise or vibration will not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed. This will be monitored and should be inline with the Noise Management Plan agreed with EHO, this is in accordance with stipulated planning conditions.
30. Light and traffic plan documents agreed with the Local Planning Authority will also be adhered to, ensuring minimal impact on local amenity.
31. Patrons will be asked not to stand around talking in the road outside the premises or any car park and asked to leave the vicinity quickly and quietly.
32. Suitable signs at all relevant exits requesting that patrons make as little noise as possible when leaving the premises will be displayed.
33. The handling of beer kegs, bottles and other similar items will not take place in the late evening (in accordance with the Noise Management Plan), at night and during the early morning when the noise generated could cause a nuisance particularly outside buildings. Deliveries and collections will also not take place during these times.
34. Bottle skips and bins containing cans or bottles will not be emptied outside after 7pm but must be dealt with the next day during normal office hours.
35. Any rubbish stored outside and produced by the premises awaiting collection for disposal will be stored in a designated area or in a bin with a tight fitting, to prevent litter being blown around.

d) THE PROTECTION OF CHILDREN FROM HARM

36. There will be in place a written age verification policy in relation to the sale or supply of alcohol, which will specify a Challenge 25 proof of age requirement. This means that staff working at the premises will ask individuals who appear

to be under 25 years of age, attempting to purchase alcohol, to produce identification. The only acceptable identification documents will be:

- A photo driving licence
- A passport
- An identification card carrying the PASS hologram

Unless such identification is produced the sale of alcohol will be refused.

37. This policy will include documented steps taken to prevent adults from purchasing alcohol for or on behalf of children under 18.

38. The premises shall display prominent signage indicating that a Challenge 25 scheme is in operation.

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

All staff will be trained in the requirements of the Licensing Act 2003 as soon as they are recruited, along with regular training and updating.

All staff engaged in licensable activity at the premises will receive training and information in relation to the following:

i. The Challenge 25 scheme in operation at the premises including the

b) The prevention of crime and disorder

The sale or supply of alcoholic drinks for consumption on the premises will be restricted to customers attending events at the venue.

Customers will not be permitted to take open containers of alcoholic or soft drinks from the curtilage of the premises (within the Walled Garden)

Customers carrying open containers of alcoholic or soft drinks will not be

c) Public safety

The electrical system, including portable appliances, will be inspected annually by a competent person. Bands / DJs will be required to email proof of inspection prior to attending an event at the venue.

All safety certificates and inspections will be kept onsite and be made available for inspection by officers of relevant statutory bodies.

d) The prevention of public nuisance

Noise or vibration will not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed. This will be monitored and should be inline with the Noise Management Plan agreed with EHO, this is in accordance with stipulated planning conditions.

Light and traffic plan documents agreed with the Local Planning Authority will also be adhered to, ensuring minimal impact on local amenity.

e) The protection of children from harm

There will be in place a written age verification policy in relation to the sale or supply of alcohol, which will specify a Challenge 25 proof of age requirement. This means that staff working at the premises will ask individuals who appear to be under 25 years of age, attempting to purchase alcohol, to produce identification. The only acceptable identification documents will be:

- A photo driving licence

Checklist:

Please tick to indicate agreement

- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

It is an Offence, under Section 158 of the Licensing Act 2003 to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

It is an Offence under Section 24B of the Immigration Act 1971 for a person to work when they know or have reasonable cause to believe that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under Section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same Act will be committing an Offence where they do so in the knowledge or with reasonable cause to believe that the employee is disqualified

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.

- a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:

- any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.

11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Home Office online Right to work checking service

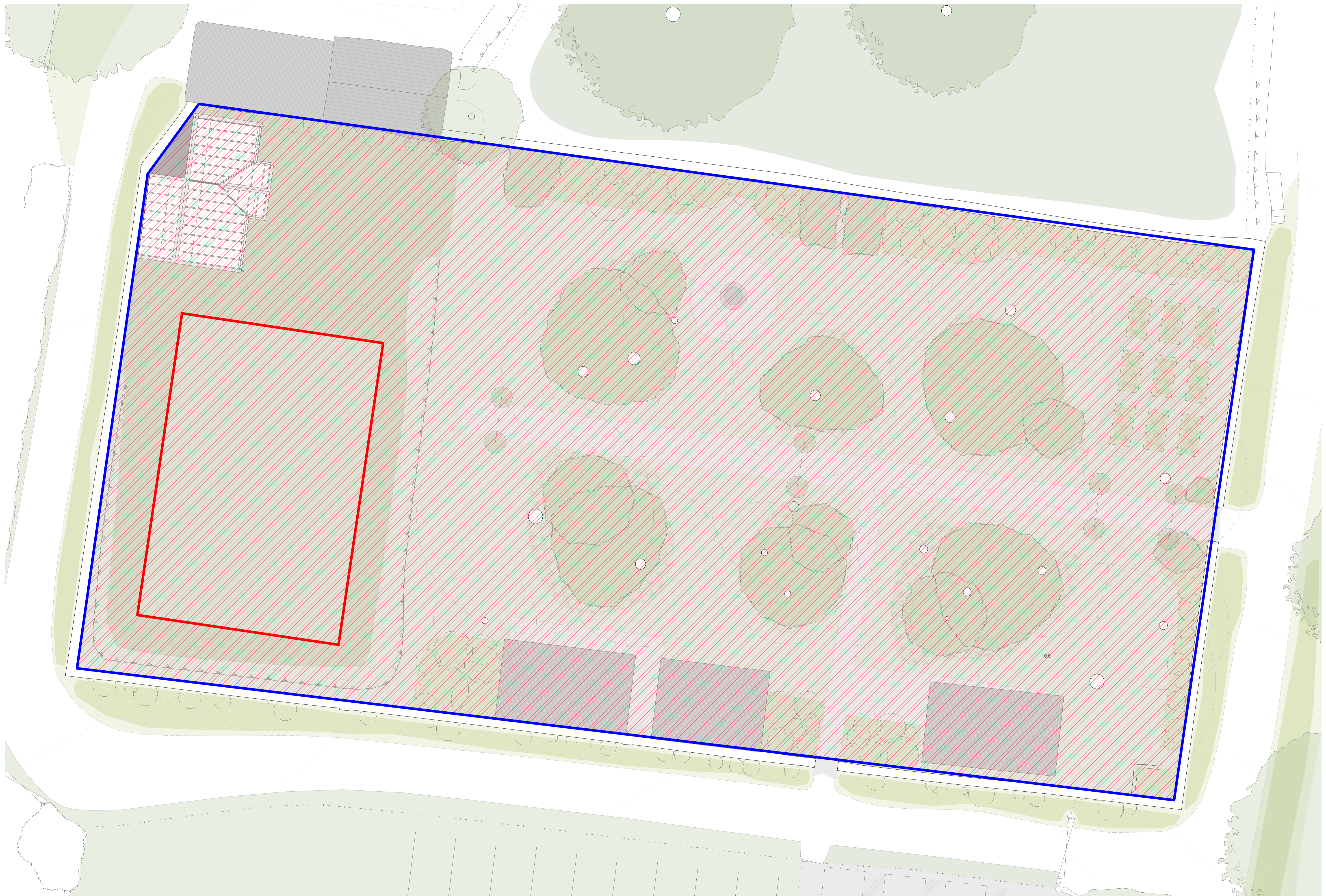
As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

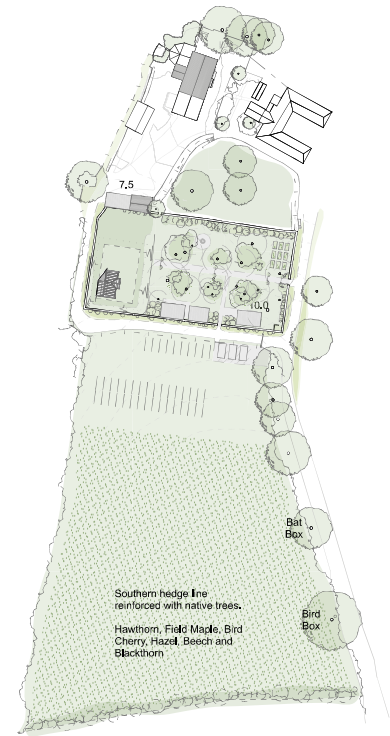
To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth, will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copies of documents as set out above.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.





Walled Garden Planting Key

- 01: Grape vines and climbing roses
- 02: Perennial cutting bed, herbs, edible flowers, climbing roses and bulbs
- 03: Perennial cutting bed, climbing roses, espalier fruit
- 04: Raised beds for annual cut flowers and vegetables
- 05: Rose arches and dematis
- 06: Perennial cutting bed and climbing rose
- 07: Log shed
- 08: Hydrangea, dahlia and bulbs
- 09: Dahlia and bulbs
- 10: Kitchen herb bed
- 11: Ornamental tree, shrubs, bulbs and wild flower
- 12: Ornamental trees and roses
- 13: Ornamental trees and shade perennials
- 14: Cutting shrubs (Hydrangeas, Viburnums, Lilacs)
- 15: Bulbs and ornamental tree
- 16: Bulbs and ornamental tree
- 17: Fire pit
- 18: Wild flower
- 19: Grape vines, wild flower and bulbs



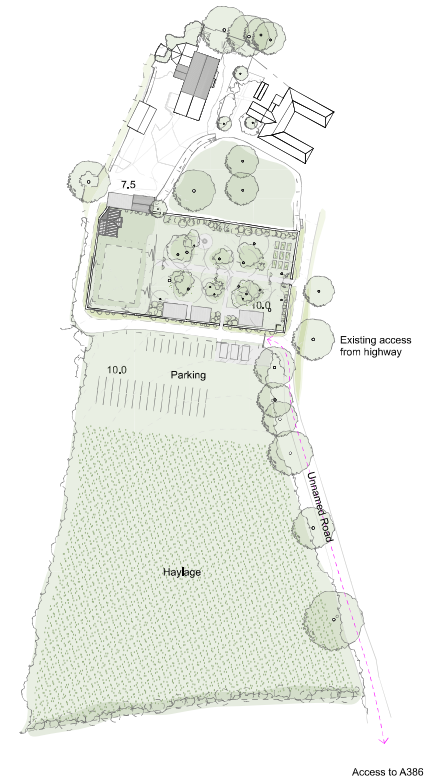
Revision Notes	Date	Rev
Planning Issues	12/2022	02
Approved for Planning	02/2023	01

Drawing Status
Planning

Project
**Uphill Farm, Yelverton,
Devon, PL20 6DF**

Drawing
Proposed Landscape Plan

Project No.	Drawing No.	Rev No.	Scale
2207	P.03	01	1:200



Parking Key

- 01: Disabled parking on existing compacted stone hardstanding
- 02: General parking in mowed field
- 03: Taxi collection point
- 04: Coach collection point

Note. All waiting vehicles have engines turned off. Refer traffic management plan for details.



Image: Existing hardstanding within field



NOTE: THIS DRAWING IS A CONSULTATION DRAFT. ANY CHANGES TO THE DRAWING WILL BE SHOWN AS RED LINES. THE CLIENT IS RESPONSIBLE FOR CHECKING ALL DIMENSIONS AND SPECIFICATIONS ON SITE. CONSULTATIONS OR DISCREPANCIES TO BE REPORTED TO: vesord@vesordarchitecture.co.uk

Revision Notes	Date	Rev
Planning Issue	17/02/25	02

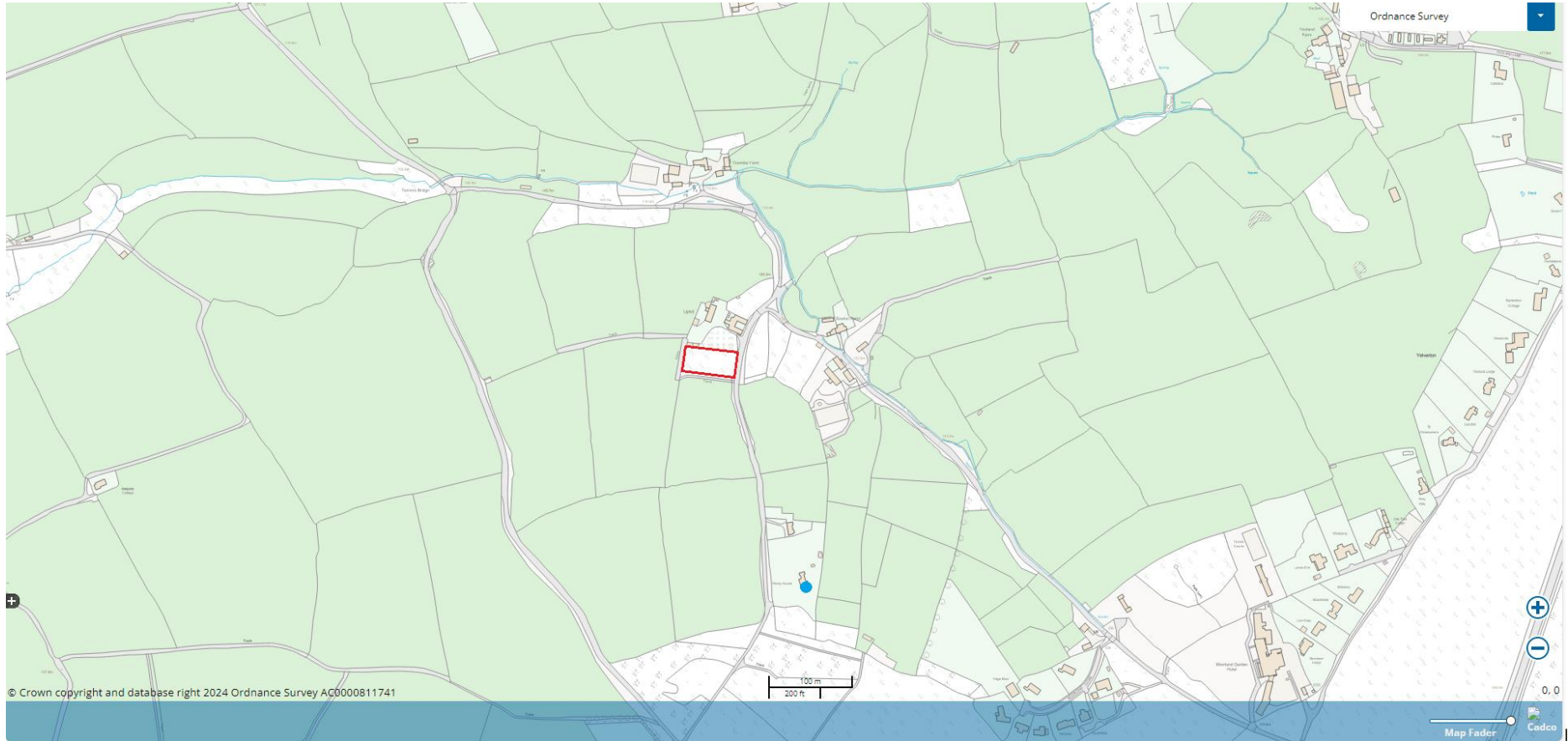
Drawing Status
Planning
Original Drawing Size A2

Project		Drawing		Scale
Uphill Farm, Yelverton, Devon, PL20 6DF		Proposed Parking Plan		1:200
Project No.	Drawing No.	Rev No.		
2207	P.04	P2		




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Appendix B – Uphill Farm Walled Garden and Barn - Location Plan



Key

 = Uphill Farm Walled Garden and Barn

 = Objection received

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Uphill Farm Walled Garden and Barn, Yelverton - representations

Representation 1

Received 30.4.24

Date: 30th April 2024

From: [REDACTED]

Reference: Premises Licence New; Uphill Farm, Yelverton, PL20 6DF

The applicant was granted planning permission subject to conditions.

As nearby residents of Uphill Farm, a largely outdoor wedding and events venue located in a quiet hamlet within an AONB, we feel that permission granted for an alcohol license on the premises from 12:00 to 23:30 on a Friday and Saturday would have a detrimental effect on nearby residents. Whilst the applicant has permission to hold events until 23:59 on Friday and Saturday, last rounds at 23:30 would make it likely that dispersal at events would go on beyond midnight and therefore noise levels would have a negative impact on nearby residents. It is also unlikely that the strict conditions of the noise management plan would be met.

The applicant also seeks permission to play recorded music outdoors and indoors Friday and Saturday 23:00 – 23:59 which we feel is completely inappropriate for the area and makes it extremely unlikely that the noise management conditions would be met. For clarity the conditions are:

No amplified music shall be played on the premises in such a way that it is audible at the boundary of any nearby residence. Note: In this case “audible” is defined as the specific music noise level (measured as Laeq, 15 min) which exceeds the background noise level (measured as La90, 15 min) prevailing at the time.

Our understanding is this includes any amplified music, be it recorded music through speakers or live music via microphones, etc.

Allowing music to be played through to 23:59 on Friday and Saturday would also mean further noise levels due to people singing along, speaking loudly over music to be heard, etc.

We would also like to point out that whilst permission is for music to be played both indoors and outdoors, the venue is largely an outdoor venue (with limited indoor space) which makes it very difficult for noise to be contained within a set boundary.

For the reasons listed above we object and feel a more reasonable approach would be that the supply of alcohol be limited to no later than 10 pm. Regarding the music, we also feel a more reasonable approach is to limit it to no later than 10 pm, however, if the applicant adheres to the strict conditions under which their permission was granted it would mean that music levels should not be audible at any time at nearby residences.



www.westdevon.gov.uk

1st May 2024

Dear Licensing Authority

Environmental Health Representation in relation to Premises Licence Application

Uphill Farm Walled Garden and Barn, Yelverton, PL20 6DF

Thank you for consulting Environmental Health on the premises licence application for the venue at Uphill Farm and Walled Garden Yelverton.

We would like to make a representation on the basis that the information in the application form and operating schedule is insufficient for us to determine if the applicant is promoting the licensing objective of prevention of public nuisance.

The application form refers to several documents but none of these have been attached to the application for us to be able to review. Although the local authority is the planning authority in this case, the licensing authority and regime, are separate and all information pertaining to license application should be sent with that application.

If there are specific measures that are going to be employed to control noise, or if the applicant is relying on information supplied in other documents, then I would recommend that the applicant supplements their application with additional conditions. These conditions can refer to the submitted noise management plan, and compliance with it etc. It would be helpful if a review mechanism for the document is built into the wording to cover improvements etc. I am sure that you will be supportive in ensuring that all conditions are clear, enforceable etc.

An additional point of clarification, could the applicant please clarify the number of events they are applying for, is it 55 in total? And what do they define as a small event as opposed to an event?

Please see below from the application.

Detailed by West Devon Borough Council planning reference 1769/23/FUL & 1770/23/LBC, 10 events until 2359, 10 events until 2200, 20 small events and 15 courses. Event types predominately weddings, feast nights and private parties. Maximum occupancy of 120. All alcohol provided by on-site bar. Operating within the confines of a walled garden and barn. Parking provided within field with a maximum capacity of 40 cars. All alcohol supplied for the sole consumption on-site, no allowance to removed from this location.

Thank you for taking the time to consider our representation. We look forward to hearing from you soon.

Yours faithfully

Anita Kidby

Principal Environmental Health Officer

West Devon Borough Council

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